

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

\_\_\_\_\_  
IN RE DIET DRUGS )  
(PHENTERMINE/FENFLURAMINE/ ) MDL No. 1203  
DEXFENFLURAMINE) PRODUCTS )  
LIABILITY LITIGATION )  
\_\_\_\_\_  
THIS DOCUMENT RELATES TO: )  
GWENDOLYN HART *et al.*, )  
Plaintiffs, ) Civ. No. 02-20141  
v. )  
WYETH *et al.*, )  
Defendants. )  
\_\_\_\_\_

**WYETH'S NOTICE OF WITHDRAWAL OF ITS MOTION TO DISMISS  
THE CLAIMS OF PLAINTIFF ORIGINALLY NAMED IN THE  
HART COMPLAINT WHO DID NOT TIMELY FILE  
A SEVERED AND AMENDED COMPLAINT**

Wyeth hereby files a Notice of Withdrawal of its Motion to Dismiss the Claims of Plaintiff Originally Named in the *Hart* Complaint Who Did Not Timely File a Severed and Amended Complaint.

Plaintiff Pamela Hitchen has stipulated to dismiss her case and does not intend to pursue her claims. For this reason, Wyeth withdraws its motion.

Respectfully submitted,

/s/ Richard Kornylak

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Dated: February 18, 2005

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of Wyeth's Notice of Withdrawal of its Motion to Dismiss the Claims of Plaintiff Originally Named in the *Hart* Complaint Who Did Not Timely File a Severed and Amended Complaint was served this 18th day of February, 2005 by first-class mail, postage prepaid, upon counsel appearing on the attached Service List.

Wyeth's Notice of Withdrawal has been filed electronically and is available for viewing and downloading from the ECF system.

/s/ Richard Kornylak

Dated: February 18, 2005

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